

LEO STRAUSS

**PHILOSOPHY
AND LAW**

**Essays Toward the
Understanding of
Maimonides and
His Predecessors**

Translated from the German by
Fred Baumann

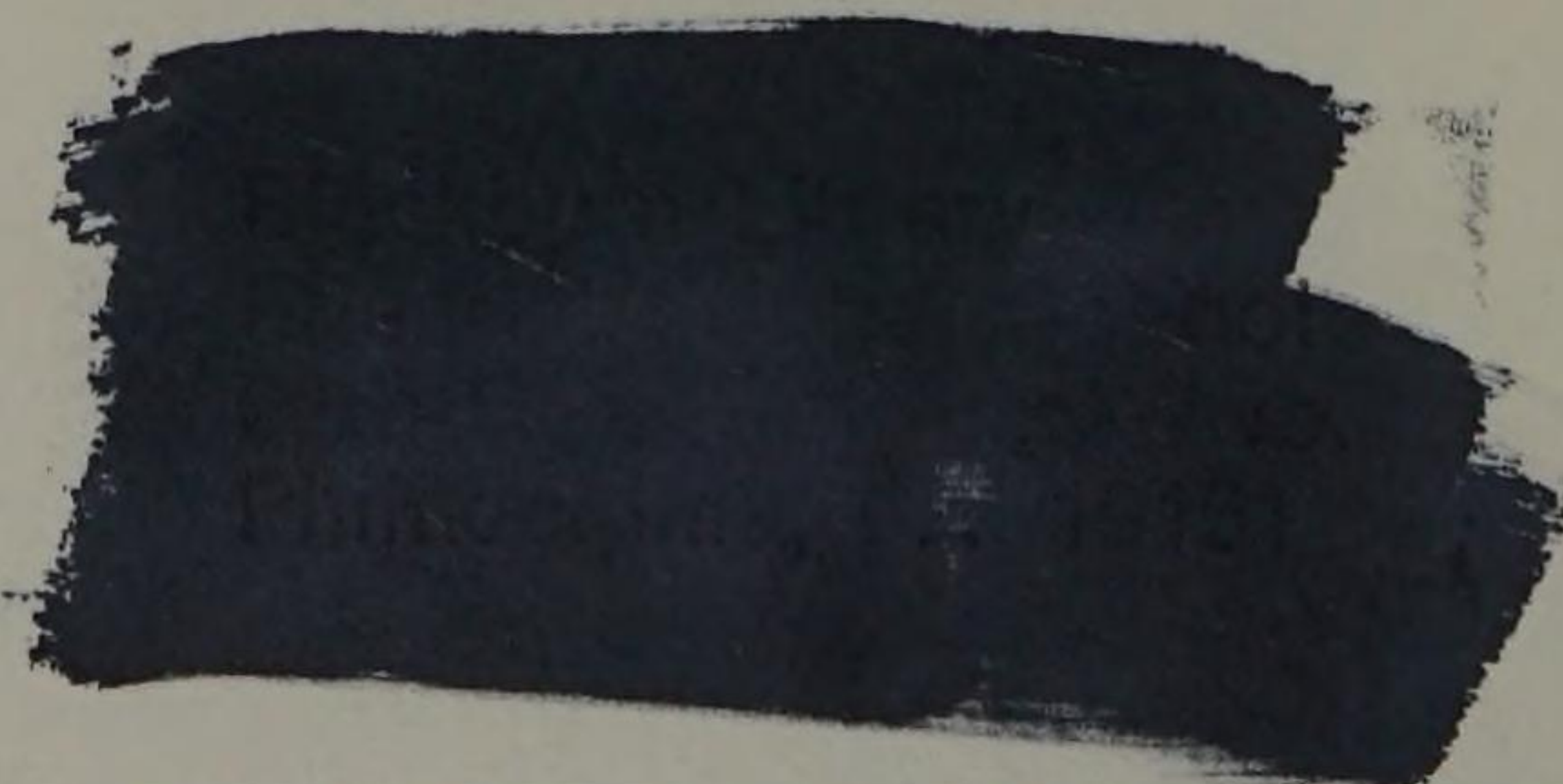
Foreword by Ralph Lerner

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To the Memory of Meyer Strauss

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FOREWORD

The usual offices of a foreword can safely be foregone in the present case. The author's own Introduction issues so powerful a challenge to contemporary enlightened opinion that it hardly needs another's seconding voice. An account of the context in which Leo Strauss came to write *Philosophy and Law* would be equally redundant. Of the desperate time when it first appeared in print, nothing need be said. Bare bibliographic facts suffice—Berlin: Schocken Verlag, 1935. And of its author as a young scholar and a Jew, nothing can be said beyond what he already has supplied himself. In the guise of introducing an English translation of his earliest published book, he composed an intellectual autobiography that lays bare the “theologico-political predicament” in whose grip he found himself and that had prompted these researches.¹ The authority of that account leaves little to be expected from the distant embellishments of others.

What might, however, bear brief comment here is the standing of *Philosophy and Law* in the larger body of Leo Strauss's work. At first glance, there appears to be adequate ground for slighting this book as an early effort, one soon to be superseded by deeper researches and maturer understanding. When, in the early 1960s, Strauss proceeded to restate some of the conclusions to which those researches had led him, he reported them as the result of “about twenty-five years

of frequently interrupted but never abandoned study" of the *Guide of the Perplexed*.² In short, his settled conclusions about the *Guide* in particular, and Maimonides in general, depended on what he had come to learn since completing *Philosophy and Law*. He might well have said of this, his earlier reading of Maimonides, what he was to say of his earlier reading of Spinoza: "... I now read the *Theologico-political Treatise* differently than I read it when I was young. I understood Spinoza too literally because I did not read him literally enough."³

Yet such a judgment of the present work, plausible and even correct as far as it goes, fails to do justice to the way in which Strauss's life-long concerns shape the argument and tone of *Philosophy and Law*. One sees here—and often with a rhetorical power that Strauss rarely permitted himself to display in public—his passionate preoccupation with reopening questions that the certitudes of the age had pronounced settled or irrelevant. The powerful counterclaims of a revelation calling for obedience and a reason demanding satisfaction retained their primeval urgency for him. If others, seeking comfort or fleeing embarrassment, were led to muffle those counterclaims, that was not the case with Strauss. He sought, rather, to respect the gravity of those claims by retrieving them from their trivializers. But he also knew that reviving an argument long since embalmed, tagged, and shelved (whether by generally accepted opinion or by academic consensus) was in a way comparable to resurrecting the dead. Strauss never underestimated the difficulty of that task.

Less out of an accommodation to our age's openness to what it calls the lessons of History than by reason of a conviction that historical studies were indeed the necessary means of stirring those questions anew, Strauss proceeded early on to undertake a long series of such studies.⁴ The present "Essays Toward Understanding" are of precisely that character. Yet the invigorating spirit of these pages is far removed from anything smacking of antiquarianism, on the one hand, or tendentious argumentation, on the other. For although the movement of the argument in *Philosophy and Law* looks like an archeologist's cautious unearthing and dusting-off of discrete strata and shards, the end in view is nothing less than a reconstructed

edifice in its nobility and entirety. To see that whole, the spectator must first open his eyes, which in this context means being open to question, open to surprise. Yet that is precisely the state of mind that could not and, indeed, cannot be presumed.

The young Strauss saw with total clarity and unblinking steadiness the many ways in which a mind or an age might shield itself from questions and answers auguring to trouble its slumber. The guises available to prejudice in modern times—not the least of which bear the labels rationalism, science, and the like—make that always difficult act of self-liberation ever more trying, remote, and unlikely. To test by some other, earlier mode one's way of looking and asking requires first recovering that earlier way of looking on *its* terms. But here one falters at the very threshold of the undertaking. For the power of our prejudices, our neatly packaged (and hence concealed) presuppositions, comes between us and whatever it is we would understand from within. It is in this sense that Strauss could speak in *Philosophy and Law* of the need—peculiar to our modern situation—to ascend “out of the second, ‘unnatural’ cave (into which we have fallen . . .) into the first, ‘natural’ cave that Plato’s image depicts, and the ascent from which, to the light, is the original meaning of philosophizing.”⁵

These “essays toward the understanding of Maimonides and his predecessors” may, then, rightly be viewed as efforts to destroy a prevailing prejudice—namely, that modern rationalism had exploded or refuted the claims of orthodoxy, that science had overcome belief. Only when the reader recognizes this confident assertion for the prejudice it is, only with his ascent from out of the lower pit, is he at last free to begin his proper work in earnest. Only then is he in a position to recover those questions, in their classic simplicity and directness, which later sophistication may bury but never lay to rest.

Long passed was that “interval of calm, when the fight against Orthodoxy seemed to have been fought out and . . . the revolt of the forces unchained by the Enlightenment had still not broken out against their liberator; when, living in a habitable house, one could no longer see the foundation on which that house had been erected.”⁶ Strauss’s readers of 1935 hardly

stood in need of a reminder. For Jews in particular, the house had become a ruin and the dream of being at home a nightmare. Faced with the choice of an Orthodoxy affirming the God of Abraham, Creator of heaven and earth, or an unconditionally political (and therefore atheist) Zionism,⁷ the modern Jew is left at an intolerable impasse. It is at this juncture that Strauss raised his heretical, even bizarre, suggestion. Every self-respecting Jew, confronted with the quandary just described and unable to accept wholeheartedly either the simple ancestral faith or its faithless antagonist, could only yearn for an enlightened Judaism to which he might cleave with heart and mind. It is a measure of Strauss's self-liberation and calm daring that he could bring this question into the open: Must enlightenment perforce be modern enlightenment?

Here Strauss turned to Maimonides, not in a spirit of pious solicitude, not as a caretaker of cherished antiquities, but as a serious-minded inquirer who is fully alive, fully awake, fully attentive. By making himself open to that great teacher's rationalism, Strauss also has made it easier for others (Jews and non-Jews) to find a standard by which to measure the pretensions of the age. With evident relish, he would refer to the lines with which Maimonides concluded his introduction to the first part of the *Guide*: "This, then, will be a key permitting one to enter places the gates to which were locked. And when these gates are opened and these places are entered into, the souls will find rest therein, the eyes will be delighted, and the bodies will be eased of their toil and of their labor."

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Notes

1. "Preface to the English Translation," *Spinoza's Critique of Religion* (New York: Schocken Books, 1965), pp. 1–31. This essay is reprinted in Leo Strauss, *Liberalism Ancient and Modern* (New York: Basic Books, Inc., 1968), pp. 224–257.

2. "How to Begin to Study *The Guide of the Perplexed*," an introductory essay to Moses Maimonides, *The Guide of the Perplexed*, translated by Shlomo Pines (Chicago: University of Chicago Press, 1963), p. xi. This essay is reprinted in *Liberalism Ancient and Modern*, pp. 140–184.

3. "Preface," *Spinoza's Critique of Religion*, p. 31.

4. In addition to the titles mentioned in the other notes to this Foreword, see *Natural Right and History* (Chicago: University of Chicago Press, 1953), and *What is Political Philosophy? and Other Studies* (Glencoe, Ill.: The Free Press, 1959).

5. Introduction, p. 112, n. 2. This theme is elaborated with great power in Strauss's analysis of "the petrified and self-complacent form of the self-criticism of the modern mind." See "How to Study Spinoza's *Theologico-Political Treatise*" (1948), reprinted in *Persecution and the Art of Writing* (Glencoe, Ill.: The Free Press, 1952), pp. 155–158.

6. Introduction, p. 16.

7. "A highly honorable but in the long and serious run an unsatisfactory answer" to what Enlightenment thinkers called "the Jewish question." Introduction, p. 19.

TRANSLATOR'S PREFACE

Among the notable contributions the late Professor Leo Strauss made to the study of the classics of political thought was his insistence on the authority of the text. It followed from this principle that one had initially to strive to understand a thinker as he understood himself and that as little as possible should obstruct one in that task. Ideally, one should read the work in the original, where striking problems that careful readers might discover at the surface, which would lead them to deeper levels of understanding, would not be concealed by translation. Thus, any effort to translate such a thinker's work should put literal accuracy above stylistic grace or, worse by far, helpful interpretation, so that the writer would speak, as much as possible, for himself and not through the mind of a translator.

When Professor Strauss's literary executor, Professor Joseph Cropsey, asked me to undertake the translation of *Philosophie und Gesetz*, it was perfectly clear to both of us that I would try my best to meet Professor Strauss's own standards in translating his book. Although some gracelessness of language has resulted, I am well aware that gracelessness in itself does not guarantee accuracy and that the translation may still have fallen short in many places. I know that I would have fallen even further short of the mark had it not been for the constant guidance and encouragement of Professor Cropsey, Professor Ralph Lerner and Professor Werner Dannhauser. I am particularly indebted to Professor Dannhauser for his careful eye and for his advice regarding specific formulations that had been

used by Professor Strauss himself. Professor Lerner too has devoted a great deal of time and effort to aiding me in this project. I wish to thank the Institute for Educational Affairs for supporting the work of the translation. I am also greatly in the debt of Dr. Hillel Fradkin, who advised me on Hebrew and Arabic transliteration, on new editions of some of the critical works referred to by Professor Strauss, and on several points of substance. Without his help, I could not have completed this project. I am also grateful to M. Rémi Brague, who, working on a French translation, helped a great deal by alerting me to specific difficulties in the text. Any errors in the translation, of course, I must claim for my own.

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9. Guttman, *Philosophies of Judaism*, p. 4. [". . . earlier periods did not attempt to differentiate between the methods of philosophy and religion, but sought to reconcile the contents of their teachings."]

10. Guttman, *Philosophies of Judaism*, p. 4. ["Philosophy was thus made subservient to religion, and philosophical material borrowed from outside was treated accordingly" (p. 63). "Dependent in many respects upon ancient traditions, and productive only insofar as it [medieval philosophy] reworked and continued traditional speculations, it found here a new sphere of problems for investigation. Its recasting of traditional metaphysical ideas was due to the necessity of adapting ancient metaphysics to the personalistic religion of the Bible."]

11. Guttman, *Philosophies of Judaism*, pp. 53–54.

12. Guttman, *Philosophies of Judaism*; cf. pp. 30f., pp. 119ff., pp. 147ff., and pp. 186f. [The corresponding place in the German text, also pp. 186f., shows Strauss's point much more clearly]; see also p. 194, pp. 198ff., p. 206, and pp. 273–274. Following Guttman's presentation, the most important exception is the teaching of Saadia, which, moreover, "adheres to the essential contents of traditional Jewish religious ideas" (p. 83). But leaving aside that Saadia's teaching of attributes, "pursued to its last consequences," leads to a neo-Platonic and thus an essentially unbiblical concept of God (cf. pp. 78–79 and pp. 84–85), the thought of Saadia is "still primitive and unripe" (p. 76: ["characteristic of immature thinking"]). The actual conflict between the Bible and philosophy takes place only after the rise of Aristotelianism.

13. Guttman, *Philosophies of Judaism*; cf. p. 331.

14. Guttman, *Philosophies of Judaism*, p. 319. ["The teleological metaphysics of Aristotelianism could compromise with revealed religion"]; cf. also p. 155.

15. Guttman, *Philosophies of Judaism*, p. 12. ["This also explains why, in the later history of monotheism, periods of intense 'personalistic' piety tended toward a mechanistic concept of nature."]

16. Guttman, *Philosophies of Judaism*, p. 141.

17. Guttman, *Philosophies of Judaism*, p. 332.

18. Guttman, *Philosophies of Judaism*, p. 332.

19. Guttman, *Philosophies of Judaism*, p. 344.

20. Guttman, *Philosophies of Judaism*, pp. 5f., 13–14.

21. Guttman, *Philosophies of Judaism*, p. 396. ["Despite the fact that the medieval thinkers were, in their total personalities, far more deeply rooted in the tradition and substance of Jewish life, and that belief in the divine authority of revelation was self-evident to them,

the modern thinkers, in their theoretical explanation of Judaism, upheld with greater staunchness the true meaning of its central religious doctrines."']

22. Guttman, *Philosophies of Judaism*, p. 416. [The English version concludes with an additional section on the thought of Franz Rosenzweig.]

23. Guttman, *Philosophies of Judaism*, p. 401. ["While theoretical reason is forever bound to the sphere of appearances, practical reason alone can elevate us to the sphere of intelligible being; it can affirm the absolute reality of the existence of God, freedom, and immortality. But from Cohen's standpoint, this metaphysical significance can no longer be allowed to religious representations."']

24. Guttman, *Philosophies of Judaism*, p. 415. Cf. also pp. 405–406.

25. Guttman, *Religion und Wissenschaft*, p. 68.

26. Guttman, *Religion und Wissenschaft*, p. 72.

27. [This passage does not appear in the English version. In adding the Rosenzweig section, Guttman took what was the concluding paragraph in the original German edition and made it the first paragraph of the Rosenzweig section, which begins on page 416 of the English translation. However, there is a change. In place of the words Strauss cites, there is: "despite the shifting of philosophical interests brought about by time and the inward life of the Jewish people."']

28. Friedrich Gogarten, *Wider die Ächtung der Autorität* (Jena: E. Diederichs, 1936), p. 41f.

29. Friedrich Gogarten, *Politische Ethik* (Jena: E. Diederichs, 1932), p. 103 (the emphasis is mine).

30. Guttman, *Philosophies of Judaism*, p. 7.

31. Guttman, *Philosophies of Judaism*, pp. 402–403.

32. Franz Rosenzweig, to whom I told this story, later published it in his notes to his translations of Judah Halevi. [The Boreh Olam is the creator of the world.]

33. To illuminate the position of the philosophy of existence toward Revelation, we point again to Gogarten, who explicitly denies "that there is one word that God says to man directly." *Theologische Tradition und theologische Arbeit* (Leipzig: J.C. Hinrichs, 1927), p. 12, fn. 2. Cf. also my *Spinoza's Critique of Religion*, pp. 295–296 [note 229 to text on p. 179].

34. [The English text runs 451 pages, before bibliography and footnotes; the section on medieval Jewish philosophy referred to by Strauss runs 271 pages.]

35. Guttman, *Philosophies of Judaism*, p. 4. Cf. also p. 14, pp. 35–36, p. 48.

36. Guttman, *Philosophies of Judaism*, p. 278. ["The formal acknowledgment of the authority of Revelation was also a self-evident assumption for the most radical thinkers of the Jewish Middle Ages, insofar as they wanted to be considered Jews."]

37. Guttman, *Philosophies of Judaism*, p. 4. ["The distinctiveness of biblical religion is due to its ethical conception of the personality of God."]

38. Guttman, *Religion und Wissenschaft*, pp. 63–67.

39. Guttman, *Philosophies of Judaism*, p. 7. ["The personalist character of biblical religion stands in the most radical contrast to another, basically impersonal, form of spiritual and universal religion, which underlies all mysticism and pantheism. Whatever the significant differences between mysticism and pantheism . . ."]

40. Guttman, *Philosophies of Judaism*; cf. p. 158 and p. 201.

41. Guttman, *Religion und Wissenschaft*, p. 65.

42. Guttman, *Religion und Wissenschaft*, p. 66.

43. [Here "*originale*" is used and clearly means "novel."]

44. Guttman, *Religion und Wissenschaft*, p. 3.

45. Guttman takes these objections into account by his now rather more cautious, if in principle unchanged, formulation: "For it was in the philosophical explanation of religion that medieval philosophy was at its most original. Dependent in many respects upon ancient traditions, and productive only insofar as it reworked and continued traditional speculations, it found here a new sphere of problems for investigation. Its recasting of traditional metaphysical ideas was due to the necessity of adapting ancient metaphysics to the personalistic religion of the Bible." *Philosophies of Judaism*, p. 63.

46. [M. Rémi Brague suggests that "*Überlegenheit*" is a misprint of "*Unterlegenheit*" and thus should be translated as "inferiority of medieval to modern philosophy."]

47. Guttman, *Philosophies of Judaism*, p. 330. ["Of his two religio-philosophical works, *Phaedon* and *Morgenstunden* . . ."]

48. Guttman, *Philosophies of Judaism*, p. 63. ["Its recasting of traditional metaphysical ideas. . ."]

49. Guttman, *Philosophies of Judaism*; cf., for example, p. 79, pp. 113–114, p. 118, and pp. 139–140.

50. Guttman, *Philosophies of Judaism*, p. 63 [" . . . was due to the necessity of adapting ancient metaphysics to the personalistic religion of the Bible."]

51. Guttman, *Philosophies of Judaism*, p. 63.

52. Maimonides, *The Guide of the Perplexed*, tr. Shlomo Pines (Chicago: University of Chicago, 1963), I, 31, p. 67. [The italics are Strauss's.]

53. The modern Enlightenment's struggle against "prejudices" rests upon a radicalization of this insight. On the historical character of the concept of "prejudice," cf. my *Spinoza's Critique of Religion*, pp. 133ff., pp. 178ff., and p. 252.

54. Levi ben Gerson, *Milhamot ha-shem* (Leipzig: 1866), p. 7. The expression of Maimonides cited above is naturally not his last word on the significance of Revelation for philosophy. Cf. text, p. 44f.

55. Guttman, *Philosophies of Judaism*, p. 278. ["Insofar as they wanted to be considered Jews." The italics are Strauss's.]

56. ["*Selbstverständlich*." The word is occasionally also translated as "obviously," or "of course."]

57. [The German reads "*offenbaren, eindeutigen, einfachen Befehl*," thus alluding both to Revelation (*Offenbarung*) as manifest and to the unity of the God who gives, literally, a "one-meaning, one-fold command."]

58. See text, p. 61ff.

59. Guttman, *Religion und Wissenschaft*, p. 12.

60. Guttman, *Philosophies of Judaism*, p. 63.

61. Guttman, *Philosophies of Judaism*, p. 65. [Silverman adds the word "only."]

62. Guttman, *Philosophies of Judaism*, pp. 62–63. Cf. also p. 155.

63. Guttman, *Philosophies of Judaism*, p. 63. [Silverman translates the last sentence: "Even the modern Enlightenment of the eighteenth century, insofar as it maintains the idea of revelation, views the relationship between religion and revelation in fundamentally the same manner." Guttman's original speaks of "*das Verhältnis von Vernunft und Offenbarung*," i.e., reason and Revelation. Also, however, Guttman's original has "*Offenbarungsgedanken*," which Silverman properly translates as "the idea of Revelation," but Strauss apparently misquotes the word as "*Offenbarungsglauben*," which I have translated "belief in Revelation."]

64. Guttman, *Religion und Wissenschaft*, p. 29.

65. See the "Gegensätze" to "Das Erste Wolfenbüttler Fragment," *Gesammelte Schriften* (Berlin: Aufbau-Verlag, 1956), v. 7, pp. 816f.

66. Guttman, *Philosophies of Judaism*, p. 63.

67. Guttman, *Philosophies of Judaism*, p. 70. ["The required supplements are mere legal technicalities. . . ."]

68. Guttman, *Philosophies of Judaism*; see especially p. 200.

69. Maimonides, *Guide*, I, 71, pp. 175f., II, 16, pp. 293ff.; II, 17, pp. 294ff.; II, 22–25, pp. 317–330. In Guttman's *Philosophies of Judaism*, see p. 169.

70. Maimonides, *Guide*, I, 31–32, pp. 65–70; III, 8–9, pp. 430–437. Cf. also the letter to Rabbi Hisdai (*Kobez Teshuvot ha-Rambam ve-Iggerotav*, ed. A. Lichtenberg [Leipzig: 1859], II, 23a).

71. Maimonides, *Guide*, Introduction, pp. 15f.; and II, 38, pp. 376ff. In Guttman, *Philosophies of Judaism*, cf. pp. 156f. and p. 172. Guttman, supported by the relevant text in the introduction to the *Guide*, I, asserts that there is only a *gradual* distinction between the "momentary illumination" of the prophet and that of the philosopher. Let us leave aside the fact that the text in the *Guide*, II, 38 in any case postulates an essential distinction between direct prophetic and merely indirect philosophical knowledge. Further, let us leave aside entirely that even if Guttman's interpretation were correct, even then a speculative superiority of the prophet over the philosopher would be recognized and therefore one could not speak of the *identity* of the truths of Revelation with the truths of Reason. But Guttman's interpretation passes over the *essential* distinction between the "momentary illumination" of the prophet and that of the philosopher, which is postulated precisely in the place he cites. For Maimonides says that the deep, dark night is illuminated for the prophet through lightning bolts from on high, but for the philosophers only through the "small light" that shines (*back*) from pure, gleaming bodies. In our interpretation, we follow the Hebrew commentators (Narboni, Shemtob, and Abravanel). Ibn Falquera, in his commentary on the *Guide*, III, cites a parallel from Alfarabi that confirms the descent of the image in the *Guide's* Introduction from the Platonic image of the cave and at the same time confirms our interpretation. Only the prophets live outside the cave; only they see the sun itself. The philosophers see only the image of the sun; they have, so to speak, only a remembered representation of it. Cf. text, pp. 16f. and 104f. [The reference to 16f. is evidently a typographical error; it should be to 87f. Also, Lawrence Victor Berman has argued in *Ibn Bājja and Maimonides: A Chapter in the History of Political Philosophy*, Ph.D. diss. The Hebrew University, 1959, p. 5, n. 4, that Strauss's citation of al-Fārābī as the source of the parallel version of the image is incorrect. He cites a copyist's error as the cause of the erroneous citation, which should be, he claims, to Ibn Bājja. Cf. below, p. 133, n. 78. I am grateful to Professor Ralph Lerner for bringing this to my attention.]

72. Guttman, *Religion und Wissenschaft*, p. 15, and Guttman, *Philosophies of Judaism*, pp. 200ff. [The passage has been greatly revised from the German edition in the English translation.]

73. Maimonides, *Guide*, II, 25, pp. 327ff.; II, 32, pp. 360ff.; and III, 20, pp. 400ff.

74. Cf. *Guide*, I, 34, pp. 72ff. Since the communication of teachings necessary for life as such is the purpose of Revelation, Revelation thus also proclaims such teachings that are not actually true but are nonetheless necessary so that human life, i.e., living together, becomes possible. Cf. *Guide*, III, 28, pp. 512ff., and I, 54, pp. 123ff. as well as my text, *Spinoza's Critique of Religion*, p. 171, fn. 220, p. 295.

75. Cf. Maimonides, *Guide*, I, 40, pp. 90f.

76. See above, Chapter 1, note 12.

77. Toward the end of *Sefer ha-Emunah ha-Ramah* (Frankfurt a.M.: 1852); in Guttman, *Philosophies of Judaism*, see p. 151.

78. Guttman, *Philosophies of Judaism*, p. 224.

79. See text, p. 78.

80. Guttman, *Religion und Wissenschaft*, p. 46.

81. Compare to this and the following, text pp. 97ff. The hitherto unpublished investigations of Paul Kraus, which concern the history of Islamic religion and the philosophy of the ninth and tenth centuries especially, bring important further confirmations to the conception sketched in what follows. [The subsequently published works Strauss here refers to include: "Raziana," *Orientalia*, N. S., v. IV (1935), 300–334, v. V (1936) 35–36, 358–378; and "Beiträge zur islamischen Ketzergeschichte," *Rivista degli Studi Orientali*, v. XIV (1934), pp. 93–129, 335–379; and perhaps "Les Controverses de Fakhr Al-Din Razi," *Bulletin de l'Institut d'Égypte*, v. XIX (1936–1937); and "Plotin chez les Arabes," *Bulletin de l'Institut d'Égypte*, v. XXIII (1941), 263–295.]

82. Guttman, *Philosophies of Judaism*, p. 248 and fn. 11 of II, 4, p. 430. Also compare Guttman's latest publication, "Zur Kritik der Offenbarungsreligion in der islamischen und jüdischen Philosophie," *Monatsschrift für Geschichte und Wissenschaft des Judentums*, v. 78 (1934), pp. 456–464. [Reprinted in Guttman.]

83. We do not deny, as scarcely needs to be remarked, that the problem of "faith and knowledge" is the central problem of medieval rationalism. We only quarrel with Guttman about the meaning that "faith" has here; it appears to us more exact to say "law and philosophy" instead of "faith and knowledge," since the "truths of faith," which, as Guttman says, are identical to the philosophical truths

23. Maimonides, *Yesodei ha-Torah*, VII, 6.

24. Maimonides, *Guide*, II, 36, pp. 371–372; cf. thereto I, 34, pp. 76–78, and I, 50, p. 111.

25. Maimonides, *Guide*, II, 36, pp. 369–370; II, 37, p. 374.

26. Maimonides says explicitly that the prophet's knowledge of the future (his capacity to see future things before him as bodily present) is a matter of his power of imagination. This perfection of the power of imagination corresponds to that perfection of the intellect by means of which the prophet gains theoretical insights indirectly, without premises and conclusions. This actualization of the power of the imagination by the Active Intellect as well—thus not just the one that makes it possible for him to present theoretical insights in images—is supposed to have as its necessary condition the influence of the Active Intellect on the prophet's intellect. The Active Intellect acts only upon the intellect, and it works on the power of imagination only by means of the intellect (*Guide*, II, 38, p. 377). This assertion stands in manifest contradiction to the earlier assertion that the Active Intellect works solely on the power of imagination in the case of the truthful dream. The contradiction becomes more pointed if one understands Maimonides' further assertion that the truthful dream and prophecy are distinguished only by degree to mean that in the prophet's knowledge of the future as well only the power of imagination is influenced by the Active Intellect. Cf. note 37 below.

27. Maimonides, *Guide*, II, 32, pp. 361–362; II, 36, pp. 369 and 372; and II, 37, p. 374.

28. Friederich Dieterici has edited (Leyden: 1895) and translated (Leyden: 1900) this text. In the following, we cite the Dieterici edition's page and line numbers. [It is referred to in the following as *Der Musterstaat*, following Dieterici.]

29. Alfarabi, *Der Musterstaat*, 48, 305. Compare to this Maimonides, *Guide*, II, 36, pp. 369–370.

30. Alfarabi, *Der Musterstaat*, 47, 17–48, 9; 8–10; 50, 9–13.

31. Alfarabi, *Der Musterstaat*, 50, 21–51, 4; 51, 14–20.

32. Alfarabi, *Der Musterstaat*, 52, 7–23; 51, 10–12. The preference for knowledge while awake over that while dreaming is also decisive for Maimonides' rank order of kinds of prophecy; cf. *Guide*, II, 45, pp. 395ff., with II, 41, pp. 385f.

33. Maimonides defines prophecy in exactly the same way; cf. *Guide*, II, 36, p. 369.

34. Alfarabi, *Der Musterstaat*, 57, 17–58, 1; 58, 18–59, 1.

35. Cf. Alfarabi, *Der Musterstaat*, 59, 6 and 69, 19–70, 3 with 52, 15–16.

36. Alfarabi, *Der Musterstaat*, 59, 2–3. Cf. Maimonides, *Guide*, II, 36, p. 369.

37. In Maimonides' prophetology it remained especially unclear whether and in what sense he asserted a direct influence of the Active Intellect on the power of imagination (see above note 26). We are now trying to show what consideration of the prophetology of Alfarabi produces in answering this question. Like Alfarabi, Maimonides teaches that in the case of prophetic knowledge, the Active Intellect first influences the prophet's intellect and "afterward" his power of imagination (*Der Musterstaat*, 58, 22, and *Guide*, II, 36, p. 369.) Like Alfarabi, he ascribes the prophet's knowledge of the future to his power of imagination (*Der Musterstaat*, 59, 1, and *Guide*, II, 38, p. 377). Thus, according to Alfarabi as well as to Maimonides, in prophetic knowledge—it does not matter whether it is imaginative conception of the things of the intellect or knowledge of the future—no direct influence of the Active Intellect on the power of imagination takes place. But how is it as regards non-prophetic knowledge? Directly following his unconditional denial of direct influence of the Active Intellect, Maimonides presents a noteworthy polemic. He disputes that people who lack intellectual perfection can receive theoretical insights in their sleep (*Guide*, II, 38, p. 378). This possibility was acknowledged by Alfarabi. He teaches that in the truthful dream and in lower prophecy, the Active Intellect also communicates things of the intellect to the power of the imagination. Perhaps Maimonides means the denial of the direct influence of the Active Intellect on the power of imagination only with respect to prophecy as such—and not with respect to the truthful dream—and looking ahead to his disputation of the possibility that a man whose intellect is not perfect could receive theoretical insights. Perhaps he denies as little as does Alfarabi that the Active Intellect acts directly upon the power of imagination in knowledge of the future through a truthful dream. Indeed, he even asserts, in explicit language, a direct influence in the case of the (future-knowing) truthful dream (*Guide*, II, 37, p. 374). Speaking against this effort to bring Maimonides' contradictory assertions into harmony with each other by considering his relationship to Alfarabi is the following reflection, which also takes this relationship into account. It is striking that in the passage in which he speaks quite generally of the activity of the power of imagination, Maimonides says that it is the strongest when the senses rest (*Guide*, II, 36, p. 370), whereas Alfarabi, whom he otherwise follows throughout (see pp. 92ff.), says in the same context that it is when the senses *and the understanding* rest (*Der Musterstaat*, 47, 21f., and 51, 15–17). Is this

only a laxness of expression in Maimonides, or is it a conscious correction? If it is a conscious correction, he seems to say that the cooperation of the understanding is required even for knowledge of the future in the truthful dream. Then one could understand his utterance that in the truthful dream the Active Intellect influences only the power of imagination and not the intellect as follows: in the truthful dream too, the Active Intellect's influence on the power of imagination takes place only by way of the intellect, but this influence passes by the intellect, so to speak, without a trace, if the intellect is not perfect (cf. *Guide*, II, 37, p. 374).

38. Maimonides, *Guide*, II, 36, p. 369; Alfarabi, *Der Musterstaat*, 52, 11–12 and 59, 2–3.

39. Alfarabi, *Der Musterstaat*, 46, 7–47, 3.

40. Alfarabi, *Der Musterstaat*, 58, 23.

41. Perhaps Ibn Tufayl's polemic against Alfarabi's prophetology (*Ḥayy ibn Yaqdhan*, ed. Gauthier [Algiers: Imprimerie Orientale, 1900], p. 12) also speaks for this interpretation. A counterinstance would be a passage in Alfarabi's *Philosophische Abhandlungen* (Dieterici edition [Leyden: 1895], p. 75) if this passage and the whole context really come from Alfarabi and not, as seems more probable to me, from Avicenna. Compare this with the passage from Alfarabi referred to on p. 105.

42. *De Anima* V, 6 (*Opera Avicennae* [Venice: 1508], f. 26b); (Fazlur Rahman has edited Avicenna's *De Anima* [Oxford: Oxford University Press, 1959]; *Tis'rasā'il* (Constantinople: 1298), 84; Landauer, "Die Psychologie des Ibn Sina," *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, v. XXIX (1875), pp. 410f.

43. *Avicennae Metaphysices Compendium*, ex ar. lat. redd. (Rome: Caramè, 1927), 243s. Cf. especially the translator's annotations, p. 244. The Latin translation of the parallels in Avicenna's *Great Metaphysics* (X, i, ed. Venice, 1508, f. 107b) is downright incomprehensible. I have looked at the original of the *Great Metaphysics* in a Berlin ms. (Minutoli, 229, f. 165b–166a). Cf. also the presentation of Avicenna's prophetology in Ghazzali's *Tahāfut* (Bouyges edition, Beirut, 1927), pp. 272–275.

44. Avicenna also says in the "Risāla fi iṭbat al-nubūwā" (*Tis'rasā'il*, 84) that the prophet occupies the highest rank among earthly existences. Cf. Maimonides, *Guide*, II, 36, p. 369.

45. *De Anima* IV, 4 (ed. Venice, 1508, f. 20b) and V, 6 (f. 26b).

46. Diesendruck ("Maimonides' Lehre von der Prophetie," pp. 83ff.) asserts that according to neither Alfarabi nor Avicenna is the power of imagination constitutive for prophecy. He comes to this assertion

with respect to Alfarabi simply because he does not consider *The Virtuous City*. In regard to Avicenna, he bases himself exclusively on Shahrastāni.

47. Marginal mention should be made of two characteristic teachings of Maimonides that, however, do not concern the foundation laid by the Falāsifa. Maimonides emphatically points out that perfection of the intellect, achieved through instruction and study, belongs to the conditions of prophecy (*Guide*, II, 32, pp. 361–362; II, 36, p. 371 and p. 372; II, 38, p. 378; II, 42, p. 390). With this teaching he moves into opposition to Avicenna, who understands the prophet's capacity for direct knowledge to mean that the prophet does not depend on instruction at all (*De Anima*, V, 6; Rasā'il, 44f.). We encounter this conception in an even more pointed formulation in Averroes: "... one knows that the Prophet (namely Mohammed) was illiterate, in an illiterate, common, nomadic people, which never concerned itself with sciences and to which knowledge was never ascribed, which never occupied itself with investigations about the existing things, like the Greeks and other peoples among whom, over long ages, philosophy was completed" (Müller, *Philosophie und Theologie von Averroes*, p. 94). Compare to this Maimonides' completely different judgment about *his* people in *Guide*, I, 71, p. 175 in the beginning. Averroes cites three koranic passages to corroborate his view. This view is in fact the orthodox teaching of Islam; cf. Alī ibn rabban al-Tabarī, *Kitāb al-dīn-wal-daula* (Cairo: 1923), pp. 48–50, and Alī ibn Muhammed al-mawārdī, *A'lām al-nūbuwwa* (Cairo: 1315) (according to Mr. Abdul-Alīm's friendly information). Maimonides' emphatic pointing out of the necessity for instruction for the prophet thus might be understood as a polemic against Islam. He accepts Islam's assertion of the fact that Mohammed had no instruction at all, but finds that it acknowledges that Mohammed's claim to be a prophet is unjustified.

At first glance, it seems to be of fundamental significance that Maimonides excludes Moses' prophecy from his prophetology. He explains that he does not want to speak a word in the *Guide* about Moses' prophecy, not even by allusions. It is fundamentally different from the prophecy of the other prophets; it is incomprehensible to man (*Guide*, II, 35, pp. 367 and 369). He thus awakens the appearance of wishing, in addition to his explicit reservation about the prophetology of the Falāsifa (*Guide*, II, 32, pp. 361f.), to make a further reservation. Is that really so? Despite his cited declaration, he throws some light on how he understands the singularity of Moses' prophecy. Moses heard the word of God without the mediation of the power of imagination (*Guide*, II, 45, p. 403). He determines this singularity

even more sharply in saying that Moses prophesied without parables (*Guide*, II, 36, p. 373). This assertion cannot possibly hold without limitation, for Maimonides not only does not doubt but again and again he emphasizes the parabolic character of many speeches of the Torah. Almost any page of the *Guide* can serve as evidence for this. Let me only point out here that in the part of his prophetology in which he thematically discusses the parabolic character of the prophetic speeches, Maimonides cites passages promiscuously from the Torah and from the books of the prophets. At the beginning of the relevant chapter (*Guide*, II, 47, p. 407), it is explicitly stated that the tool of prophecy, the power of imagination, has as its consequence the parabolic character of prophetic speeches. Insofar as Moses speaks in parables no less than the rest of the prophets, he must have the capacity to express his insights in the form of parables, i.e., he must have command over a perfect power of imagination and make use of that power. One recognizes how Maimonides' apparently contradictory assertion is to be understood if one follows a hint that he himself gives. In the passage in which he says that Moses did not prophesy through parables like the rest of the prophets (*Guide*, II, 36, p. 373), he refers to his previous utterances about this subject. He would seem to mean first of all his remarks in the *Yesodei ha-Torah* (VII, 6). There the "non-imaginative" character of Moses' prophecy is determined in the following way: he heard God's word while awake, not in a dream or a vision; he saw the things without riddle and parable; he was not frightened and confused. Thus what is meant is that he was absolutely *not under the spell* of the power of imagination when he was in the condition of prophetic comprehension. He was not confused by the direct contemplation of the upper world, like the rest of the prophets. This does not and cannot mean that he did not *have command*, in the manner of prophets, over his power of imagination. He *had* to have command over it if, again, he wished to lead the many by speeches they could understand. That Maimonides does not distance himself, with his teaching on Moses' prophecy, from the prophetology of the *Falāsifa* incidentally follows from Narboni's remark in his commentary on Ibn Tufayl's *Ḥayy ibn Yaqzān* that Maimonides had taken this teaching over from Alfarabi and Ibn Bajja (cf. Moritz Steinschneider, *Al-Farabi [Alpharabius]* [Amsterdam: Philo Press, 1966], p. 65, n. 11). Cf. also Ephodi's remark, which is cited by Munk (*Le Guide*, II, p. 288, n. 1).

48. Maimonides, *Guide*, II, 35, p. 368; II, 37, p. 374; II, 46, p. 406; *Yesodei ha-Torah*, VIII, 1.

49. What follows is based on Ibn Khaldūn's account (*Prolégomènes d'Ebn-Khaldoun* [ed. Quatremère, Paris: 1858], I, pp. 168–170).
50. Maimonides, *Guide*, II, 29, p. 345.
51. Alfarabi, *Der Musterstaat*, 50, 18–51, 2.
52. Maimonides, *Guide*, I, Introduction, p. 12.
53. Maimonides, *Guide*, II, 37, p. 374.
54. Alfarabi, *Der Musterstaat*, 58, 23–59, 1.
55. To understand this "and," refer to Aristotle's *Politics*, III, 6 (1278b 19f.).
56. ["*Ursprünglichste*" again, meaning primordial, not novel.]
57. Maimonides, *Guide*, III, 54, p. 635.
58. Maimonides, *Guide*, II, 40, pp. 381ff.; and III, 27, pp. 510ff.
59. Joseph Albo, *Iqq.*, II, 12 (*Sefer ha-Iqqarim*, II: *Book of Principles*, tr. Isaac Husik [Philadelphia: Jewish Publication Society of America, 1946]) asserts with special emphasis (probably polemically against Levi ben Gerson) that the purpose of prophecy is lawgiving and not knowledge of the future. The extensive agreement of this chapter with *Guide*, II, 39, pp. 378ff. is further evidence for the explanation of Maimonides' prophetology developed above.
60. As Avicenna has explained directly before this, practical philosophy consists of three parts: ethics, economics, and politics.
61. The Arabic text is printed in *Tis 'rasā'il* (Constantinople: 1298), pp. 73f. To produce this text, I used in addition to this printed copy, a Gotha ms. (A1158, fol. 159). A Latin translation that seems to have been based on a more elaborate text is found in the collection of Andreas Alpagus (Venice: 1546), 140b–141a, and there is a Hebrew translation that sharply abridges the text in Falaquera's *Reshith Hokma*, ed. David (Berlin: 1902), pp. 58f.
62. *Avicennae Opera* (Venice: 1508), *Metaphys.* X 2 and *Avicennae Metaphysices Compendium* (ed. Caramè), pp. 253–255. The Arabic text of the *Great Metaphysics* was available to me in the Berlin ms. Minutoli 229 (fol. 168b–169a), and the Arabic text of the *Compendium* was available in the Roman edition of 1593. Cf. also Avicenna's "*Ishārāt wal-ten-bihāt*" (*Le livre des théorèmes et des avertissements*, ed. J. Forget [Leyden: 1892], p. 200).
63. [Strauss here cites as "*Teile der Wissenschaft*" what was cited above as "*Teile der Wissenschaften*," i.e., as "The Parts of the Sciences."]
64. *Tis 'rasā'il*, 2f.
65. [There is a play here on "*Sendung/Gesandte*" very faintly picked up by "mission/messenger."]
66. *Tis 'rasā'il*, 85.

67. *Metaphys.* X 5 (Berlin ms. Minutoli 229, fol. 174b–175a). [“Interchange” translates “*Wandel*,” which seemed better than “change,” “conversation,” or “commerce.”]

68. *Tis ‘rasā’il*, 73f. See text, p. 101.

69. Steinschneider, *Hebraische Übersetzungen*, p. 219.

70. *Metaphys.* X 4 in the beginning (Minutoli, 229, fol. 171b).

71. The accounts of the laws to be proclaimed by the prophet (*Metaphys.* X 2–5) naturally singly follow Islamic law. Whether and how far Avicenna is also influenced here by Plato in individual cases still needs investigation. I point only provisionally to the following parallels. Avicenna: “the first thing that must be legally determined in the city is the matter of marriage which leads to propagation. The Lawgiver must summon to and awaken the desire for marriage, since through it arise the kinds. . . .” *Metaphys.* X 4). Plato: “. . . what would be the first law the lawgiver would lay down? Won’t he proceed according to nature, and with his regulations bring order to what is the first cause of childbirth in cities? . . . Isn’t intercourse and partnership between married spouses the original cause of childbirth in all cities? . . . Then it’s likely that in every city it’s fine, with a view to what is correct, if the marriage laws are the first to be laid down” (*Laws*, 720e–721a). [*The Laws of Plato*, tr. Thomas Pangle (New York: Basic Books, 1980), p. 108.] Avicenna also points to Plato as a guarantor for the sentence that speaking in parables and riddles is a condition for prophecy. “It is laid upon the prophet as a condition that his speech is intimation and his words hints, and, as Plato says in the book of the *Laws*, whoever does not understand the significance of the prophets’ intimations does not reach the Kingdom of God. Thus in their writings the most famous philosophers of the Greeks and their prophets made use of parables and images in which they concealed their secrets, like Pythagoras, Socrates, and Plato” (*Tis ‘rasā’il* 85).

72. Steinschneider, *Alfarabi*, p. 61. Cf. in general Steinschneider’s chapter about Alfarabi’s ethical and political writings (pp. 60–73).

73. Alfarabi, *Der Musterstaat*, 57, 13–59, 13.

74. Alfarabi, *Der Musterstaat*, 58, 23–59, 1.

75. Alfarabi, *Der Musterstaat*, 59, 10–60, 11.

76. From here it becomes understandable why Maimonides emphasizes daring as a condition of prophecy in the *Guide* (II, 38, pp. 376ff.). The talmudic maxim that prophecy only rests on one who is wise, strong (brave), and rich does not come into question as a source for this assertion. This also follows from the fact that Maimonides takes this maxim as the basis in a wholly different explication of his

prophetology: cf. *Guide*, II, 32, p. 360ff., and Munk, *Le Guide*, II, 32, p. 263, n. 20.

77. Plato, *Republic*, 485a–487a; cf. also *Republic*, 374e–376c, and *Laws*, 709e–710c.

78. Shemtob Falaquera, *Moreh ha-moreh* (Pressburg: 1837), p. 132. The reference on page 9 of this edition is marred by a typographical error ("31" instead of "51"). [Reprinted as *Shelosha Qadmonei Mefarshei ha-Moreh*, Jerusalem: 1960.]

79. [Strauss uses "*weissagen*" here for "foretell" or "prophesy."]

80. Cf. for example Cicero, *De Divinatione*, I, 41, 89. Karl Reinhardt has interpreted this teaching comprehensively and has tried to trace it back to Poseidonios as its originator (*Poseidonios* [Munich: 1929], pp. 429ff.).

81. [Until now "*Leiter*" and variants have been used for "leader"; this is the only use of "*Führertum*."]

82. Tor Andrae, *Die Person Muhammeds* [Stockholm: 1918], p. 360.

83. Cf. the comments about Philo's teaching on enthusiasm in Hans Lewy, *Sobria ebrietas. Untersuchungen zur Geschichte der antiken Mystik* (Giessen: 1929), pp. 56ff. The Pneuma has the same function in Philo that the Active Intellect has for the Falāsifa and Maimonides.

84. The most important task of his treatise, "Charakteristik der Ethik Maimunis" (first appearing in the compilation *Moses ben Maimon* [Leipzig: 1908], I, pp. 63–134, reprinted in *Jüdischen Schriften*), is to adduce the evidence for this assertion. (In the following notes, we cite the page numbers of the first edition.)

85. Cohen, "Charakteristik," p. 105.

86. Cohen, "Charakteristik"; cf. especially pp. 63f., p. 70, and p. 108.

87. Cohen, "Charakteristik," p. 86. Cohen emphasized the principal clause.

88. Cohen, "Charakteristik," p. 81. Similar utterances are also found on pp. 83f. and p. 91.

89. Therefore, like Maimonides and Averroes especially, they are no less "jurists" than philosophers.

90. Cf. text, pp. 62ff.

91. Cohen, "Charakteristik," p. 87.

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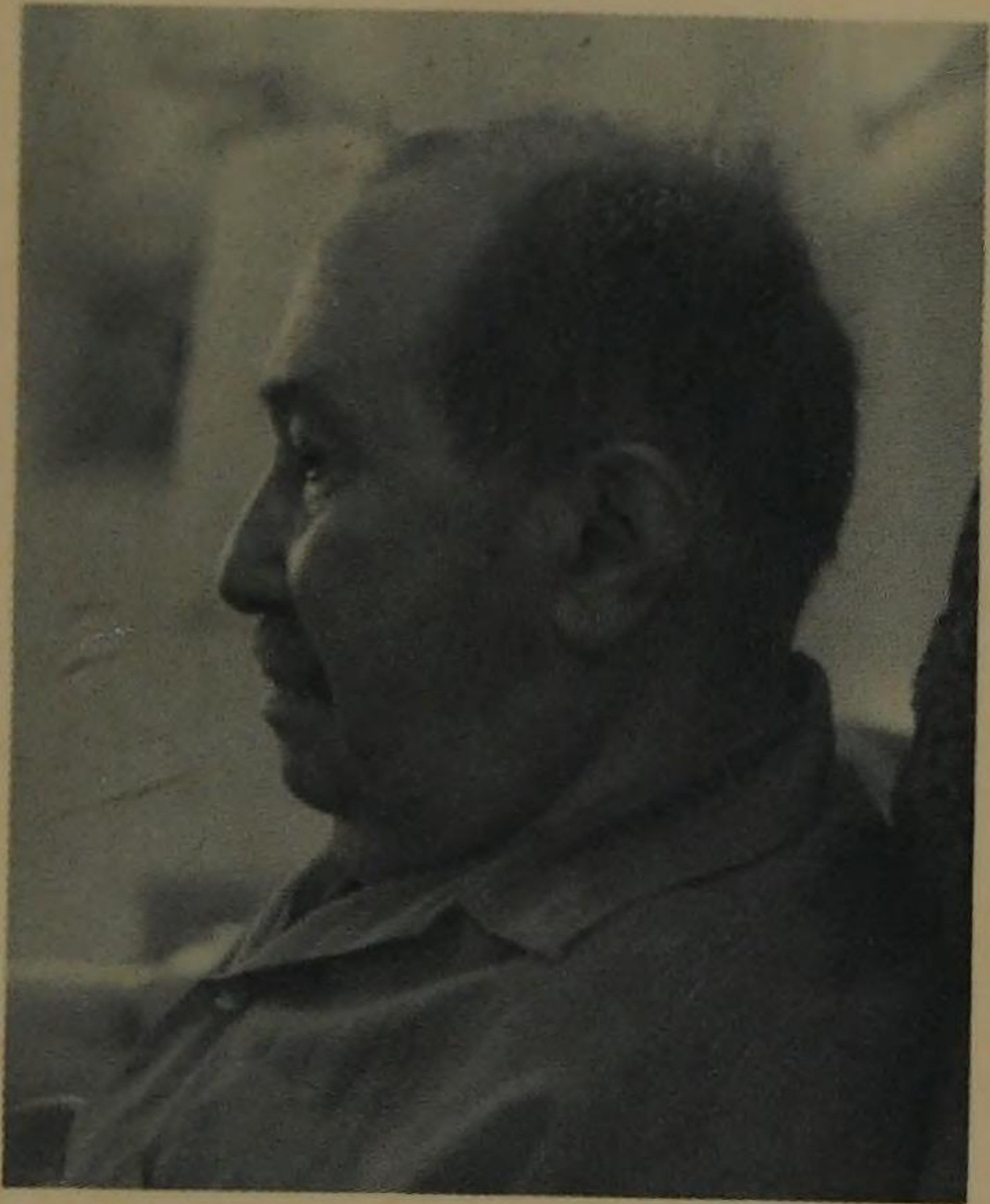
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context of these philosophical findings? To resolve this question, Strauss examines Maimonides' theory of prophecy and identifies in it a parallel of Plato's definition of the philosopher as one who is above—and yet bound by—the law. For Strauss, this Platonic distinction provides a possible reconciliation of the immutability of revelation with the rigor of philosophical inquiry.



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